

AUG 06 2008

FAX TRANSMISSION**DATE:** August 6, 2008**PTO IDENTIFIER:** Application Number 10/528,006
Patent Number**Inventor:** Pierre J. Messier**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** GOODWIN PROCTER LLP

Richard I. Samuel

PHONE: (212) 459-7021**Attorney Dkt. #:** 102785-337-NP2 (TRI-018NP2)**PAGES (Including Cover Sheet):** 8**CONTENTS:** Certificate of Transmission (1 page)
Amendment and Response to Final Office Action (6 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (212) 813-8800 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

GOODWIN PROCTER LLP

The New York Times Building, 620 Eighth Avenue, New York, New York 10018
Telephone: (212) 813-8800 Facsimile: (212) 355-3333

L18NY/4739823.1

AUG 06 2008

PTO/SB/87 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/528,006

Attorney Docket No.: 102785-337-NP2 (TRI-018NP2)

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on August 6, 2008
Date

Francene Sawyer
Signature

Francene Sawyer
Typed or printed name of person signing Certificate

Registration Number, if applicable

(212) 459-7422
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Amendment and Response to Final Office Action (6 pages)

1.BNY/4739R23.1

AUG 06 2008

Attorney Docket No. 102785-337-NP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/528,006
Applicants : Pierre Messier
Filed : January 5, 2006
Title : Facemask with Filtering Closure
Art Unit : 3771
Examiner : Dixon, Annette Fredricka
Attorney Docket No. : 102785-337-NP2

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence, and attachments, if any, are being facsimile transmitted to the USPTO at fax number (571) 273-8300 on the date indicated below to the attention of Examiner Annette Fredricka Dixon, Art Unit 3771.

Francene Sawyer
Francene Sawyer

August 6, 2008
Date

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Dear Sir/Madam:

Applicants respectfully request entry of this Amendment and accompanying remarks, submitted in response to the final Office action mailed from the U.S. Patent and Trademark Office on July 17, 2008, a response to which is due by October 17, 2008.

Reconsideration of the rejection of all the claims is respectfully requested.

A Listing of Claims begins on page 2 of this paper; and

Remarks begin on page 6 of this paper.

I:BNY/4739202.1